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PRICE ONE CENT.

## JURY CONSIDERING COOPER-SHARP CASE

End of Famous Trial in Sight After Bitter Struggle.

## CHARGE OF JUDGE FAVORS NEITHER

Every Point Covered in His Long Instructions—Defense Expects Acquittal.

NASHVILLE, Tenn., March 17.—Lacking but a few days of having lasted two months, and filled with exciting incidents from beginning to end, the famous case of Col. Duncan B. Cooper, his son Robin, and ex-Sheriff John D. Sharp, charged with the murder of former Senator Edward W. Carmack, went to the jury this morning, with the delivering of Judge Hart's long instructions.

The instructions contained 15,000 words and covered every point that has been raised in the progress of the trial. There were frequent discussions on the application of the common law to the case, which to an inapt juror would have been highly confusing.

By the most partisan spectator the charge of the court could not be construed as favoring either side. Every advantage gained by State or defendant in some particular instruction was quickly counterbalanced by a point favoring the other side, until at the end neither side knew whether to consider the charge favorable or unfavorable.

Four Degrees.

"While the indictment," said Judge Hart, "contains but one charge, upon its face, under the law, it embraces four felonies: murder in the first degree, murder in the second degree, voluntary and involuntary manslaughter."

In referring to an overt act in his charge, Judge Hart instructed the jury that if it was of the opinion that Colonel Cooper committed an overt act in what he did and said at the time he met Carmack, then the plea of self-defense could not be taken to his advantage. If Cooper had abandoned his idea of his threat to kill Carmack on sight, or that the town was not big enough to hold them both, and if that idea of determination formed in his mind again when he saw Cooper, while he (Cooper) was at the corner of Union street and Seventh avenue and that such was his purpose in crossing the street, then the defendants could not take advantage of the plea of self-defense.

But if the jury decided that there was no overt act committed by the Coopers, and if Robin Cooper went over with the intention of merely to be with his father, and not to commit any act of violence, then such action must be considered not as an overt act.

Self-Defense.

Again, if Carmack had not been advised of the peaceful intention of the defendants, and if the jury was of the opinion that his state of mind was such that he believed the Coopers were about to carry out the threat to take his life, then he was justified in firing, and the plea of self-defense could not be taken advantage of by the defendants.

The court instructed the jury minutely on the various degrees of manslaughter and homicide, the presumption of innocence in self-defense, supporting every instruction with copious quotations from the law.

The court then went into the various theories as advanced by the State and the defendants, and instructed the jury how to find its verdict in the event its findings were along the line of any of the theories advanced.

As the reading concluded with the customary words of the State, a hush fell over the courtroom. Every juror was leaning forward in his chair. This tense moment was quickly followed by coughing and the shuffling of feet, marking the end of the long session of suspense. The jurors then engaged in earnest conversation with their counsel.

Colonel Cooper Pleased.

As the jury filed out Colonel Cooper, the aged defendant, smiled broadly, indicating that his lawyers had told him that there was nothing unfavorable in the instructions. The general opinion is that the jury will disagree, but the defendants are confident of a verdict of acquittal.

The trial of the Coopers and Sharp in point of interest and bitterness, stands out pre-eminent in the criminal annals of Tennessee, both on account of the prominence of the principals in the tragedy which shocked the entire nation, and because it marked the climax of one of the hardest fought political battles in the history of the State.

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## WEATHER REPORT.

The snow area that extended Tuesday morning from the upper Mississippi valley over the Lake region and Ohio valley now covers the Atlantic States north of Virginia.

During the next thirty-six hours the weather will be fair in the East, with a sharp fall in temperature tonight in the Middle Atlantic and northern portions of the South Atlantic States.

FORECAST FOR THE DISTRICT.

Fair tonight and Thursday; colder at night, with minimum temperature about 29 degrees; moderate westerly winds.

TEMPERATURE.

SUN TABLE.

TIDE TABLE.

High tide today... 3:50 a. m., 4:16 p. m.  
Low tide today... 10:10 a. m., 11:10 p. m.  
High tide tomorrow... 4:36 a. m., 5:20 p. m.  
Low tide tomorrow... 11:18 a. m.

## MINORITY MEMBERS TURN DOWN PLACES

Two Democrats Refuse to Accept Jobs From "Uncle Joe."

## BARTLETT LEADS; JAMES FOLLOWS

Georgia Member Declines to Serve on Mileage Committee—Sustain Champ Clark.

An echo of the row in the Democratic party over Speaker Cannon's refusal to recognize Champ Clark, the minority leader, in the appointment of members of the minority to the various committees, was heard in the House today when two Democrats refused to accept appointments from the Speaker.

Speaker Cannon, immediately after the tariff bill had been referred to the Committee on Ways and Means, announced Representative Kennedy of Iowa, Lundin of Illinois, Garner of Pennsylvania, Lewis of Georgia, and Denver of Ohio as a Committee on Mileage.

Mr. Bartlett of Georgia called the attention of the Speaker to the fact that Mr. Lewis was no longer a member of the House. Speaker Cannon, with a gracious wave of his gavel and an extravagant bowing of his head, announced that it gave him pleasure to appoint Mr. Bartlett to the place which he had selected for Mr. Lewis.

Declines to Serve.

"I decline to serve," shouted Mr. Bartlett in an excited manner.

"Then the Chair will announce the appointment of Mr. James, of Kentucky," said the Speaker.

Ollie M. James, the big man from Kentucky, boomed up and shouted that he, too, would decline to accept an appointment at the hands of the Speaker.

"It remains for the House," said the Speaker, "to determine whether the gentleman from Kentucky shall be excused from serving on the committee."

The Speaker then called for a viva voce vote, and most of the Democrats voted in the affirmative, indicating their intention to stand by Mr. James and Champ Clark. There was a perfect rout of "noes" from the Republican side, but Speaker Cannon smilingly announced that in his opinion the ayes had it, and he thereupon announced the appointment of Mr. Collier of Mississippi as a member of the committee.

Collier Accepts Place.

Mr. Collier made no attempt to refuse the appointment at the hands of the Speaker.

Referring to his declining to serve on the Mileage Committee, Mr. Bartlett declared after the House had adjourned that his action was merely in accord with the policy laid down by the Democratic caucus and that he proposes to follow out that policy to the letter, no matter how attractive committee appointments at the hands of the Speaker appear to be. Mr. James expressed a similar sentiment, and declared that he would accept no nomination from the Speaker unless it has the unqualified endorsement of Champ Clark.

On Rules Committee.

Speaker Cannon has announced the appointment of Champ Clark and John J. Fitzgerald of New York as the new minority members of the Committee on Rules.

Mr. Fitzgerald, who was elected to the committee in accord with the policy of giving a place on the Rules Committee to the leader of the minority, Fitzgerald, however, displaced on that committee Representative De Armond of Missouri, who was formerly one of its most prominent members.

Mr. Fitzgerald of Iowa was given the place on the Republican side of the committee to fill the vacancy created by the retirement of Vice President Sherman.

Only Three Vacancies.

There were only three vacancies on the Ways and Means Committee, one on the Republican side and two on the Democratic side. Representative Cushman of Washington, was selected to fill the place caused by the retirement of former Representative Bonyne of Colorado.

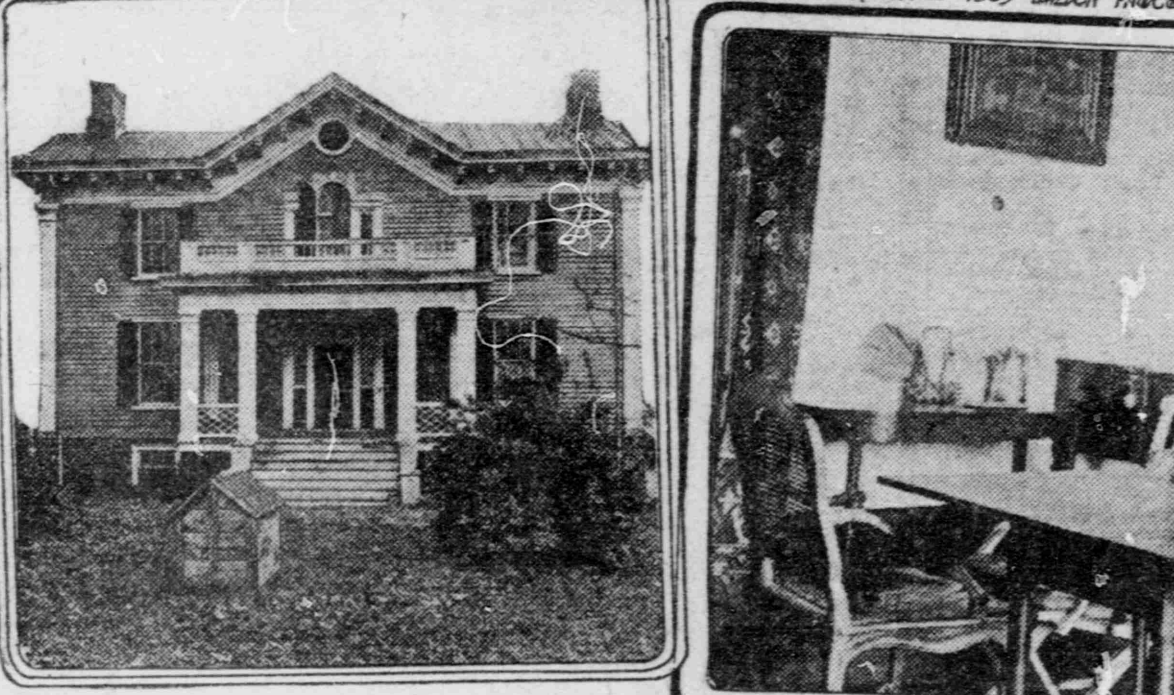
Bourke Cockran's seat was filled by

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## Two Principals and Scenes of Virginia Tragedy



PHOTOGRAPHED BY J. C. WELLS FOR THE TIMES



CHANLER AND COL. E. G. MONEY—JOHN ARMSTRONG CHANLER.  
CHANLER HOME, "MERRY MILLS," AND ROOM WHERE GILLARD WAS SHOT.

## VIRGINIANS GLAD CHANLER IS FREED

Jury Verdict Exonerating Him in Gillard Killing Generally Approved.

CHARLOTTESVILLE, Va., March 17.—Virginians in this section today felt relieved that the jury empaneled by Coroner Williams has exonerated John Armstrong Chanler (Chaloner), who yesterday shot to death John Gillard, wife-beater and soldier of fortune.

The entire community is practically unanimous that Chanler, the brother of Lewis Styvesant Chanler and the man who has fought for years to have himself declared sane in the New York courts, did what any red-blooded man would do in trying to subdue Gillard, who had followed his wife to "Merry Mills," Chanler's home, near here. It was established at the inquest that the shot was not fired with intention into Gillard's head, but was the result of a fight. Gillard, her fourteen-year-old son, and Ernest Money, who had called on Chanler on a matter of business.

Body Is Bruised.

Gillard's wife today bears the marks of the beating her husband had given Chanler on a matter of business.

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## WARRING REPUBLICS UPON GOOD BEHAVIOR

Secretary Knox Finds Solution For Mimic Revolutions Problem—Presence of American Ships Has Salutory Effect on Central American Fire-Eaters.

By JAMES HAY, JR.

This country's diplomatic relations with Central America now consist of two armored cruisers and a gunboat.

The modified protectorate which the United States has contemplated as a means of enforcing peace in Nicaragua and other countries in that vicinity has taken the shape of a small but adequate section of the navy, which stands ready to march men into the public square of any capital which shows signs of military activity.

In this connection, there is much unnecessary diplomacy going on in this city. Minister Espinosa, of Nicaragua, pays daily visits to the State Department to tell Mr. Knox that Zelaya and Nicaragua are thoroughly peaceful. Mr. Knox, remembering the three navy vessels which his foresight has put into Central American waters, believes that, for the time being, this information is true. He reflects, moreover, that, to be on the safe side, he will keep the three ships where they are.

Ther comes Ambassador de la Barra,

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## HOUSE GETS BILL; ADJOURNS FOR DAY

Payne Says No Changes Will Be Made by Committee.

The new maximum and minimum tariff bill introduced in the House today by Chairman Payne, of the Ways and Means Committee, was received with prolonged applause by the Republicans.

In response to numerous questions from both sides of the chamber, Mr. Payne announced that he anticipated that no changes would be made in the bill by the Ways and Means Committee, to which it was referred. He then stated that the committee would bring the bill back into the House in a day or two, accompanied by a comparative statement showing the changes which had been made.

He then offered a resolution authorizing the printing of 20,000 copies of the bill, which was defeated.

Mr. Payne announced that the committee would hold a meeting at 10 o'clock tomorrow morning, and for the first time since the public hearings on tariff bill were closed the Democrats will be permitted to participate.

## PAYNE TARIFF BILL, PRESENTED TODAY, TO REDUCE DUTIES

Inheritance Tax One Feature—Maximum and Minimum Rates.

NO TAX ON COFFEE; HIDES AND STEEL CUT

Lumber Gets a Reduction, Wood Pulp May Be Free, and Beer Is the Same.

By J. C. WELLIVER.

The Payne tariff bill was reported to the House of Representatives today. It is a maximum and minimum bill, with an inheritance tax feature.

It is estimated that \$300,000,000 annual revenue will be produced, despite that there is general reduction of duties, the explanation, of course, being that many duties now prohibitive or nearly so will be so reduced as to permit importation, and, consequently, to bring in revenues.

The estimated revenue under the new duties is about \$10,000,000 larger than under the present ones.

No Duty on Coffee.

The coffee duty which had been fixed in the earlier deliberations on the bill was cut out, it is said, at midnight Monday night. Tea is taxed at 8 cents when it is imported directly from the country where it is raised, and 9 cents when it comes through another country. This is a direct blow at the immense London business in the United States.

Lumber is the subject of the expected compromise, by which the present duty of 22 per thousand on rough lumber is reduced to 11. A like reduction of 50 per cent is made on steel rails and most steel goods.

The tariff is removed from hides, and 40 per cent reduction is made in the duties on shoes. This will prove one of the big revenue-producing sections, according to expectations, while at the same time resulting in some reduction in the cost of shoes.

Plate Glass a Pet.

Plate glass comes in as the pet of the new tariff, for the reason that the Kinley act, the rates are largely increased on plate glass, in order to enable the home industry to survive and develop in competition with the very much cheaper labor abroad. It is expected this will develop the industry to a point never before possible.

The inheritance tax section of the bill places 1 per cent levy on estates of \$10,000 to \$100,000; 2 per cent on those above \$100,000 and up to \$500,000, and 3 per cent above that figure, with 5 per cent on all collateral inheritances.

The bill is drawn, according to its author, to be a general measure, increasing the burdens on luxuries, and reducing those on the necessities of life. Iron ore is made free, while there is no change in the present duties on petroleum; that is, the article is left on the free list, but the present counter-validated duties are retained, which in effect serves to retain a high duty.

On Reciprocal Basis.

Coal and agricultural implements are put on a reciprocal basis; they will come in free from countries which admit ours free. Wool, first and second class, remains at the present duties.

The bill provides for the issue of \$250,000,000 of Treasury certificates for one year. The authors believe the present unfortunate Treasury situation will not continue long, and that there is good prospect for a return of normal conditions, in which the revenues will take care of demands.

The tax on beer is not changed. The bill contains about as many words as a popular novel—approximately 100,000—and it is mostly more exciting to interest than a novel, which are immediately concerned.

Provision is made for importing 20,000 tons of sugar annually from the Philippines free, with considerable amounts of tobacco, cigar wrapper and filler.

Canadian wood will come in free, provided Canada and other nations will not impose export duties on its forest products; the price of the product is reduced 50 per cent on some grades, and 66 2-3 on others.

Fear Breakfast Table Tax.

As for a tax on tea and coffee the Republican leaders in the House and Senate have been talking the proposition over among themselves and with President Taft. It is the conclusion of the leaders that it would be unwise to impose a duty on coffee or tea.

They fear it would be unsafe politically and that the cry of "a tax in the breakfast table" might cost the Republicans the next House.

The leaders recognize that a tariff of the sort proposed would be a radical departure from Republican policies and hence they want to avoid it. It is regarded as certain that the pressure for an inheritance tax will be greatly increased by reason of the action as to coffee and tea.

Statement Given.

Accompanying the bill was the following statement:

The new tariff bill introduced by Mr. Payne in the House is a minimum and maximum tariff bill. The minimum rates or duty are contained in the first section, and the free list for the minimum rates is in the second section of the bill.

The third section contains the maximum rates, which are generally equal to the minimum rates and 20 per cent in addition thereto, and the articles on the free list, in the transfer to the third section, bear a duty of 20 per centum ad valorem as a maximum rate. The maximum rate does not go into effect in any event until sixty days after the passage of the act.

By the fourth section the minimum

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## NEGROES CONFESS SCHULTZ MURDER

One of Four Held Weakens and Others Admit Crime, Says Detective.

The veil of mystery which has enshrouded the murder of Walter F. Schultz, the Chicago artist, whose body was found a week ago last Sunday lying in a field near Alexandria with the throat cut, has been lifted, with the aid of Washington detectives. It was learned this afternoon, and every detail of the gruesome crime is in the possession of Central Office men of this city and the Alexandria police.

Frederick Smith, one of the four negro suspects arrested on suspicion of complicity in the murder, is declared to have made a complete confession in the presence of Central Office Detective Barbee, implicating the other three negroes held in Alexandria. They are James Dorsey, Richard Pines, and Henry Johnson.

"Smith has confessed," admitted Barbee when questioned today. "All of the men implicated in the crime are now under arrest. I am going back to Alexandria this afternoon, and by tonight I can probably give out a complete statement."

Barbee explained that Washington detectives and Chief Goods, of Alexandria, were the only ones who are in possession of the details of the confession.

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## BLACK HAND DEFIES POLICE TO STOP IT

Assassin Band Promises Death to Agents Sent Into Italy.

ROME, March 17.—The same fate that befell Lieutenant Petrosino, the New York detective, who was assassinated in Palermo Friday night by Black Hand agents, awaits any one who is sent from America to complete the work undertaken by the New York police department, according to threats that are being broadcasted from Italy today.

The announcement from New York that other detectives have been sent to Italy to investigate the Black Hand headquarters and to try to check the emigration of criminal Italians to the United States, has greatly exasperated the members of the Mafia and Camorra, and the threat is openly made that those who come will be marked for death.

Twelve suspects were arrested today at Palermo. It is stated that a dozen police officers of Palermo who are suspected of being intimate with the Black Hand leaders will be dismissed.

NEW YORK, March 17.—Definite plans for stamping out the Black Hand and Mafia outrages in this country through the cooperation of Federal and State authorities have been made by Commissioner Bingham, following a series of almost continuous conferences by mail and wire between the commissioner, Government, and police officials throughout the country.

## WILD TRAIN DASHES INTO WAITING ROOM

Enginemen Thrown Off on Road—Two Killed in the Station.

MONTREAL, March 17.—Two persons, a young Italian girl, aged eight, and an Italian interpreter, were killed; two others, an engineer and fireman, were fatally injured, and eight others had legs and arms broken, when the Boston and Maine railroad train which left Montreal for this city at 8:30 last night, crashed into the waiting room of the local station today.

The train had run wild for twenty miles with no one in the cab. That the accident was not more serious was due to a brakeman climbing across the tender and applying the brakes just as the big bumper at the end of the tracks was reached.

He could not stop the train, but had checked its momentum to such an extent that the entire station was not wrecked. None of the passengers was hurt other than to be badly shaken up as the couplings broke, when the engine, cab, and baggage car struck the wall.

The train was running forty-five miles an hour when a stay bolt of the boiler broke, blowing both occupants out of the cab. They are Montreal men, and were so badly hurt that they are expected to die.

## FREEDOM OF CUBANS MAY BE SHORT LIVED

Another Rebellion or Insurrection Threatens American Occupancy.

On the most excellent authority it is announced that if Cuba stirs up another rebellion or insurrection, and the United States intervenes, it will be for the last time.

When the American flag goes up next at Morro castle it will go up to stay as long as it stays over the Capitol at Washington.

That was the determined purpose of the Roosevelt Administration and the policy is to be maintained by the Taft Government.

More than this, it is the confident expectation of the people who have the best official information that the American troops will be back in Cuba inside a year. Twelve months is the outside concession made by conservatives; the Administration itself thinks half that time will see another occupation begun.

Outbreaks of revolt are already reported from Havana. The insurgents have taken to the jungle, the trouble is on, and the story goes that already high authority in Washington is casting about for the personnel of a new administration at Havana, which will be placed in charge just as soon as it becomes apparent that peace is impossible without renewal of intervention.

## OIL AND BEER MEN ACCUSED IN HOUSE

Lobbies Said to Have Aided Cannon for Favors in Tariff Bill.

Charges that changes were made in the tariff bill at the very last minute as the price paid for support of the Cannon organization in the fight on the rules Monday have been freely bandied about the House chamber today.

It is well known that two big and powerful lobbies, one representing the brewers and the other representing petroleum, were the most powerful outside influences brought to bear in connection with the fight over the rules.

Until the very last it was accepted that the tax on beer was to be raised from 11 to 12 1-2 cents a barrel. This was understood by the brewers to be their fate. They hurried a lobby to Washington, working under the direction of C. J. Vopicka, of Chicago, secretary of the National Brewers' Association. Vopicka got very busy with the members of Congress whom he was able to reach, especially those of German descent or nativity.

Tells of Lobbyist.

One of these said to day:

"Mr. Vopicka told me one the eve of the contest over the organization of the House, that if the Cannon rules should win, the beer tax would be unchanged. If Cannon tax was defeated the tax

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